

REMARKS

I. Status of the Claims

Claims 1, 14, 15, 18, and 46 have been amended. Claims 59 and 60 are new. Claims 23-45 and 48-58 have been withdrawn. Claim amendments are for the purposes of improved clarity or consistency of claim language unless otherwise noted. No claim amendment should be construed as an acquiescence in any ground of rejection. Claims have been amended without prejudice to pursuing the cancelled subject matter in a continuing application. No new matter has been added by this amendment. Support for the amendment can be found in the claims as originally filed and, for example, on page 109, Examples 115 and 116, and on page 110-111, Examples 117 to 120, of the specification.

II. Election/Restriction

Applicant's election of Group I and the species defined as 3-iodo-2-phenyl-thyronamine, which is a compound of formula I wherein R₁, R₂, R₃, R₇, and R₈ are H; R₄ is I;



R₆ is OH; X is O; Y is: -CH-; and Z is CH₂, as the group and species elected to begin prosecution, has been acknowledged. Claims 23-45, 48-58 have been withdrawn as being drawn to a nonelected invention without prejudice to pursuing the claims in a continuing application.

Where applicants have elected claims directed to a product and the product claims are subsequently found allowable, applicants request that the withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claims will be rejoined in accordance with the provisions of MPEP § 821.04.

III. Claim Objection

Claims 14, 18, and 46 have been amended to correct informalities.

IV. Allowable Subject Matter

The elected species, 3-iodo-2-phenyl-thyronamine, which is a compound of formula I,



wherein R₁, R₂, R₃, R₇, and R₈ are H; R₄ is I; R₆ is OH; X is O; Y is: -CH-; and Z is CH₂, was searched and was deemed free of the prior art.

IV. The Claims are Novel under 35 U.S.C. § 102 (b)

Claims 1-22, 46 and 47, in so far as they read on the species defined as a compound of Formula I wherein R₁=R₂=R₃=R₄=R₅=R₆=R₇=H; Y=Z=CH₂; R=H and n=1, have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *J. Pharmacol.* (1936), 58, p. 53-61 (CAPLUS abstract). Applicants traverse the rejection.

Applicants have amended claim 1 such that the compounds of claims 1 to 13 are novel in view of the cited reference. Furthermore, claim 14, a compound of Formula II, claim 16, a compound of Formula III, and claim 18, a compound of Formula IV are novel in view of the cited reference and the species as defined. For example, claims 1 to 13 are directed to a compound of Formula I wherein Y has an aryl or benzyl substituent. For example, claims 14-15, as amended, do not have hydrogen at position R8; claims 16-17 are a compound of Formula III having a naphthyl group; claims 18-19 are a compound of Formula IV; and claims 21-22 are a compound of Formula V having a naphthyl group. Accordingly for these reasons, applicants respectfully requests that the examiner withdraws the instant rejection of claims 1-22, 46, and 47 under 35 U.S.C. § 102(b).

V. Conclusion

In view of the foregoing, the application is now in condition for allowance. The prompt issuance of a formal Notice of Allowance is therefore requested.

If the Examiner believes a telephone conference would expedite allowance of this application, please telephone the undersigned at 206-332-1380.

Date: October 23, 2006

/Phillip A. Singer/
Phillip A. Singer
Registration No. 40,176

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439